

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF OHIO
EASTERN DIVISION**

IN RE NATIONAL PRESCRIPTION
OPIATE LITIGATION

MDL No. 2804

This document relates to:

Case No. 17-md-2804

“Track One Cases”

Hon. Dan Aaron Polster

**NOTICE OF SERVICE OF MANUFACTURER DEFENDANTS'
OPPOSITION TO PLAINTIFFS' MOTION FOR PARTIAL
SUMMARY ADJUDICATION THAT DEFENDANTS DID NOT
COMPLY WITH THEIR DUTIES UNDER THE FEDERAL
CONTROLLED SUBSTANCES ACT TO REPORT SUSPICIOUS
OPIOID ORDERS AND NOT SHIP THEM**

Pursuant to the Directions Regarding Filing of Briefs Under Seal, ECF No. 1719,

Manufacturer Defendants¹ hereby provide notice that on July 31, 2019, it served unredacted copies of the following documents on all Parties, the Court, and the Special Masters:

- Manufacturer Defendants' Opposition to Plaintiffs' Motion for Partial Summary Judgment Adjudication That Defendants Did Not Comply With Their Duties Under the Federal Controlled Substances Act To Report Suspicious Opioid Orders And Not Ship Them ("Manufacturer Defendants' Opposition");
- Declaration of William T. Davison in Support of Manufacturer Defendants' Opposition along with Exhibits 1 to 26;

¹ Manufacturer Defendants joining this Opposition include: Purdue Pharma, L.P.; Purdue Pharma, Inc.; The Purdue Frederick Company, Inc.; Endo Health Solutions Inc.; Endo Pharmaceuticals Inc.; Par Pharmaceutical, Inc.; Par Pharmaceutical Companies, Inc.; Janssen Pharmaceuticals, Inc. f/k/a Ortho-McNeil-Janssen Pharmaceuticals, Inc. f/k/a Janssen Pharmaceutica, Inc.; Johnson & Johnson; Noramco, Inc.; Teva Pharmaceutical Industries, Ltd.; Teva Pharmaceuticals USA, Inc.; Cephalon, Inc.; Allergan plc f/k/a Actavis plc; Allergan Finance, LLC f/k/a Actavis, Inc. f/k/a Watson Pharmaceuticals, Inc.; Allergan Sales, LLC; Allergan USA, Inc.; Watson Laboratories, Inc.; Warner Chilcott Company, LLC; Actavis Pharma, Inc., f/k/a Watson Pharma, Inc.; Actavis South Atlantic LLC; Actavis Elizabeth LLC; Actavis Mid Atlantic LLC; Actavis Totowa LLC; Actavis LLC; Actavis Kadian LLC; Actavis Laboratories UT, Inc. f/k/a Watson Laboratories, Inc.-Salt Lake City; Actavis Laboratories FL, Inc., f/k/a Watson Laboratories, Inc.-Florida; Mallinckrodt plc; Mallinckrodt LLC; and SpecGx LLC.

Teva Pharmaceutical Industries Ltd., Allergan plc f/k/a Actavis plc, and Mallinckrodt plc are respectively an Israeli corporation, Irish holding company, and Irish company that are not subject to and contest personal jurisdiction for the reasons explained in their pending motions to dismiss for lack of personal jurisdiction; they are specially appearing to join this Opposition as a result of the Court's deadline to file oppositions to dispositive and *Daubert* motions, and, thus, they do not waive and expressly preserve their pending personal jurisdiction challenges.

- Declaration of Mara Cusker Gonzalez in Support of Manufacturer Defendants' Opposition along with corresponding Exhibits 27 to 34;
- Declaration of Steven A. Reed in Support of Manufacturer Defendants' Opposition along with corresponding Exhibits 35 to 39;
- Declaration of Jennifer D. Cardelus in Support of Manufacturer Defendants' Opposition along with corresponding Exhibits 40 to 49;
- Declaration of Timothy W. Knapp in Support of Manufacturer Defendants' Opposition along with corresponding Exhibits 50 to 63;
- Declaration of Sean Morris in Support of Manufacturer Defendants' Opposition along with corresponding Exhibits 64 to 83; and
- Summary Sheet for Manufacturer Defendants' Opposition (also attached hereto as Exhibit A).

Dated: July 31, 2019

Respectfully Submitted,

/s/ Mark S. Cheffo

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*Co-Liaison Counsel for the Manufacturer
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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 31st day of July 2019, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF System.

/s/ Brien T. O'Connor

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